



General Assembly

January Session, 2005

Raised Bill No. 6784

LCO No. 3715

03715_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING THE LICENSING OF POULTRY DEALERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective from passage*) (a) As used in this section:
- 2 (1) "Commissioner" means the Commissioner of Agriculture.
- 3 (2) "Dealer" means any person, firm or corporation engaged in the
- 4 business of buying, receiving, selling, bartering, exchanging,
- 5 negotiating or soliciting the sale, resale or exchange of live poultry or
- 6 hatching eggs or a person, firm or corporation engaged in the
- 7 transportation, transfer or shipment of any live poultry or hatching
- 8 eggs or a producer who is a wholesaler, distributor or hauler of live
- 9 poultry or hatching eggs.
- 10 (3) "Hauler" means any person, firm or corporation that transports
- 11 live poultry or hatching eggs from premises to premises, to a
- 12 distributor, to a live bird market or to a dealer.
- 13 (4) "Live bird market" means a facility at which live poultry or
- 14 hatching eggs are congregated for sale or to be slaughtered and
- 15 dressed for sale to the public or restaurants or to be sold live for any

16 purpose.

17 (5) "Poultry" means any species of domestic fowl, including, but not
18 limited to, chickens, turkeys, ostriches, emus, rheas, cassowaries,
19 waterfowl and game birds raised for food production, breeding,
20 exhibition or sale.

21 (6) "Producer" means any person, firm or corporation engaged in
22 the breeding, raising or keeping of poultry for the purpose of food
23 production, hatching egg production or for show or exhibition.

24 (b) Annually, each poultry dealer conducting business within the
25 state shall apply for a license upon forms furnished by the
26 commissioner. The license fee shall be established pursuant to
27 subsection (f) of this section. The commissioner shall issue such license
28 unless, in the commissioner's sole discretion, the commissioner deems
29 it in the best interest of the public to refuse issuance thereof. In
30 refusing to issue a license, the commissioner shall give due regard to
31 whether the applicant has had such a license previously revoked or
32 suspended or has violated any state or federal law or regulation
33 concerned with interstate transport of live poultry and hatching eggs
34 or live poultry health requirements. Each license shall be
35 nontransferable and shall be in effect from July first through the last
36 day of June of the next succeeding year.

37 (c) Each license shall be shown, upon request, to any person with
38 whom the licensee conducts or proposes to conduct business.

39 (d) Any poultry dealer licensed under this section shall keep
40 accounts and records that fully and clearly disclose all transactions
41 related to the conduct of such dealer's business. Such records shall be
42 made available at any time for inspection by the commissioner or the
43 commissioner's authorized agent for the purpose of determining the
44 origin and destination of any live poultry handled by the dealer.
45 Information relating to the general business of the dealer that is
46 disclosed in the course of an inspection by the commissioner or by the

47 commissioner's authorized agent and that is not related to the
48 immediate purpose of the inspection shall be confidential and not
49 disclosed except as required by law.

50 (e) The provisions of this section do not apply to any person, firm or
51 corporation that is only a producer, except that a producer who
52 transports live poultry directly to a live bird market, wholesaler,
53 distributor or other dealer shall be deemed a hauler and subject to the
54 provisions of this section.

55 (f) The Commissioner of Agriculture may adopt regulations, in
56 accordance with the provisions of chapter 54 of the general statutes, to
57 ensure compliance with this section and to ensure the public health
58 and safety. Such regulations shall include: (1) Sanitation standards for
59 vehicles, crates, facilities and other appurtenances used to transport
60 and hold poultry or hatching eggs, both in transit and at any place
61 where poultry or hatching eggs are held for the purposes of being sold
62 or offered for sale; (2) the health requirements for poultry and hatching
63 eggs, including, but not limited to, required tests, vaccinations or other
64 methods used to prevent poultry disease; (3) the manner and form of
65 records to be kept, including, but not limited to, identification of the
66 origin of poultry or hatching eggs, poultry animal health records, test
67 results or copies of sales records and dates; (4) individual bird and
68 premise identification; and (5) the fee for a poultry dealer.

69 (g) The commissioner may: (1) Revoke or suspend a poultry dealer's
70 license, or (2) assess an administrative civil penalty pursuant to section
71 22-7 of the general statutes for a violation of this section.

72 Sec. 2. Section 22-37 of the general statutes is repealed. (*Effective from*
73 *passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	22-37 repealed

Statement of Purpose:

To protect the health and safety of the general public by requiring poultry dealers to be licensed by the Department of Agriculture, to require licensees to keep accurate records, to allow the Commissioner of Agriculture to adopt regulations regarding licenses and health and safety requirements regarding poultry dealers and to repeal an existing statute regarding the Commissioner of Agriculture's supervision of the transportation of live poultry.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]